"SECURITY CLASSIFICATION ACT OF 1975"

Proposed 5 U.S.C. 552b

(c) Authority to Classify

(4) who, within the Agency, authorized to classify is defined in broader terms than in 11652. Those designated by the DCI would appear to have authority to classify at all levels rather than some at Top Secret, others at Secret and some at Confidential. The restriction that those below the Section Chief level not be designated to classify would not pose a problem within the DDI. The semiannual review which is called for would not pose a problem as the authority to classify could be tied to the position and those in that position would have the authority.

(B) The requirement to compile semiannually a list of those delegated to classify could be met by using the Position Control Register which at present indicates the position authorized to classify under the requirements of 11652.

(C) The individual classifying documents must affix certain identifying data on those documents he classifies. This is so much like the present requirement under 11652 that it appears not to be a problem.

(F) If interpreted liberally, this paragraph could be used by DDI offices as authority to carry-over to a finished product the classification of the source documents used in the preparation of the finished piece. If this is a possibility it would offer more protection to the DDI production than it would receive under this law if each piece had to stand alone in meeting the criteria for classification. If the paragraph is narrowly interpreted it would mean that our clerical functions would not suffer as classification markings could be transferred when documents are reproduced.

(c) Criteria

(1) Top Secret - the criteria listed as being necessary in order to classify material Top Secret is sprinkled throughout with the term specific details. If interpreted litterly, then much of DDI production would not meet the criteria for classifying at the Top Secret level. 25X1

[redacted]

25X1 [redacted]

(2) Secret - This section also contains the wording specific details which would need to be defined. Paragraphs (A), (B), and (C) do not seem to apply to the DDI. These paragraphs are not specific as to whether they apply to only US systems and operations or they can be interpreted to apply equally to foreign nation weapon systems or their military operations. If interpreted loosly, paragraph (D) does contain some protection for DDI products -- principally those dealing with foreign affairs. The phrase "highly sensitive information" about officials of foreign governments would keep a vast majority of [redacted] out of the Secret classification. 25X1

(3) Confidential -- again paragraph (A) would appear to mean a US weapon system. Would it apply equally to a foreign system discussed in a DDI product? Paragraph (B) would have extremely limited application to DDI products in the present world situation. Paragraph (C) would likely become the catch-all authorization to classify most of the DDI production. It might tend to force the DDI to cover more of the US position on an issue in any discussion of a foreign economic or political situation. The interpretation of this paragraph would need to be broad.

(4) This paragraph provides protection to that information received through liaison channels. The second part of the paragraph dealing with information obtained by intelligence gathering activities is ambigious in that it is unclear in whether the information needs to meet the criteria in the subsection in order to be classified or the criteria of the foreign government from where it was obtained.

(e) Downgrading and Declassification

(6) Top Secret production prior to 1960 would need to be reviewed to determine if any information would be exempt from declassification under the provisions of (e) (8). Secret and Confidential material published prior to 1960 would automatically become declassified seemingly without any need for review.

(7) All production since 1960 would need to be reviewed for downgrading as provided for in (2), (3) and (4) of this section. Again Top Secret material would be measured against the provision of (8), but Secret and Confidential would be downgraded or declassified as provided for.

(8) This seems to be the only provision in the law that allows for any exemption from downgrading or declassification as provided for in (2) (3) (4) above. It appears

to cover only that material classified as Top Secret with no mention made of exemptions for material classified Secret or Confidential. The criteria for exempting Top Secret material from downgrading or declassification in this paragraph are so narrow that most of the DDI production would not meet the criteria.

(9) Notification to the CRC of those Top Secret documents which did meet the exemptions as specified in (8) would be a cumbersome but a possible procedure to abide by.

(10) Downgrading and declassification notices to holders of DDI products could be sent based on the original dissemination schedules. But would this be necessary if most of the downgrading and declassification was tied to specific time periods as spelled out in this law.

(11) Holders of DDI products plus those DDI offices which maintain files of other Agency products would need to be able to find and note on individual copies when they have been downgraded or declassified. If this were to be required as spelled-out in the law it would have a major impact on CRS/DSG/CLD who maintains the Agency record copy of intelligence documents, most of which

is in microform of some kind. It would impact on those offices maintaining intelligence files in any form other than by document number, [redacted] 25X1 in that there would be no way to get back to the document.